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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 09/844,821  | 04/27/2001  | Doo Sang Park        | 2080-3-18                     | 3336             |
| 35884 7590 04/26/2007<br>LEE, HONG, DEGERMAN, KANG & SCHMADEKA<br>801 S. FIGUEROA STREET<br>12TH FLOOR<br>LOS ANGELES, CA 90017 |             |                      | EXAMINER<br>AILES, BENJAMIN A |                  |
|   |             |                      | ART UNIT<br>2142              | PAPER NUMBER     |
| SHORTENED STATUTORY PERIOD OF RESPONSE  |             | MAIL DATE            | DELIVERY MODE                 |                  |
| 3 MONTHS  |             | 04/26/2007           | PAPER                         |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

09/844,821

**Applicant(s)**

PARK, DOO SANG

**Examiner**

Benjamin A. Ailes

**Art Unit**

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to correspondence filed 06 February 2007.
2. Claims 1-22 are pending.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerszberg et al. (US 6,359,881 B1), hereinafter referred to as Gerszberg '881, in view of Gerszberg et al. (US 2001/0040621), hereinafter referred to as Gerszberg '621.

5. Regarding claim 1, Gerszberg '881 teaches an information display system, comprising:

a gateway system for converting protocols of an external network and a local network for information exchange between the external network and local network (Fig. 5, item 210, gateway, and col. 13, ll. 41-43);

a plurality of terminals connected to the local network wherein each of the plurality of terminals exchanges call setup information with the gateway system (Fig. 5, item 210 gateway and item 214 connection manager, and col. 13, ll. 41-50).

Gerszberg '881 teaches an information server for storing information transmitted from the external network or local network (fig. 4B item 183 info server/DBMS and col. 10, ll. 28-34) and the transmission of information to a plurality of terminals (Gerszberg

'881, col. 11, ll. 59-61) and the displaying of the stored information on the display of the terminal when the terminal enters an on-hook status (Gerszberg '881, col. 11, ll. 65-66). Gerszberg '881 teaches the transmission of information to the terminal at any point in time, therefore it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enable information to be transmitted to the videophone while the videophone is in an on-hook condition. This is taught in the art by Gerszberg '621, wherein Gerszberg teaches a very similar videophone wherein information, advertisements, is transmitted to a videophone when it is determined that the videophone is not in use (p. 5, para. 0042) and therefore the videophone is in an on-hook condition. One of ordinary skill in the art would have been motivated to utilize the transmission during an on-hook status wherein Gerszberg teaches that it would have been advantageous to push information to a terminal during low use times in the middle of the night or when the videophone is not in use at all (Gerszberg '621, p. 5, para. 0042). Gerszberg '881 and Gerszberg '621 both teach wherein the displayed information is at least one of an advertisement, a guide and a bulletin (Gerszberg '881, col. 11, ll. 58-62 and Gerszberg '621, p. 5, para. 0042).

6. Regarding claim 2, Gerszberg '881 and Gerszberg '621 teach the system wherein each of the plurality of terminals is one of a PC phone and an Internet phone using Internet protocols for data communication (Gerszberg '881, col. 6, ll. 47-50).

7. Regarding claim 3, Gerszberg '881 and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a memory means for storing information transmitted from the information server (Gerszberg '881, col. 8, ll. 44-52)

and a control means for controlling the storing of the transmitted information in the memory means such that the information stored in the memory means is displayed when the on-hook status is detected (Gerszberg '881, col. 11, ll. 65-66) and voice communication-related information is displayed when an off-hook status is detected (Gerszberg '881, col. 9, ll. 17-27).

8. Regarding claim 4, Gerszberg '881 and Gerszberg '621 teach the system wherein the control means determines a call status of the terminal (Gerszberg '881, col. 11, ll. 65-66).

9. Regarding claim 5, Gerszberg '881 and Gerszberg '621 teach the system wherein the call status is one of an on-hook status and an off-hook status (Gerszberg '881, col. 11, ll. 65-66, A phone is either in active use or not in active use.).

10. Regarding claim 6, Gerszberg '881 and Gerszberg '621 teach the system wherein each of the plurality of terminals includes a display means for displaying information stored in the memory means (Gerszberg '881, col. 9, ll. 17-21).

11. Regarding claim 7, Gerszberg '881 and Gerszberg '621 teach the system wherein the information server includes a memory means for storing information transmitted from the external network (Gerszberg '881, col. 10, ll. 28-37) and a control means for determining the respective call status of each of the plurality of terminals (Gerszberg '621, pg. 5, paragraph 0042).

12. Regarding claim 8, Gerszberg '881 and Gerszberg '621 teach the system wherein the control means of the information server transmits the information stored in the memory means of the information server to each of the plurality of terminals during

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an on-hook status of each of the plurality of terminals (Gerszberg '621, pg. 5, para. 0042).

13. Regarding claim 9, Gerszberg '881 and Gerszberg '621 teach the system wherein the control means of the information server updates contents of the memory means of the information server when new information is received (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts.).

14. Claims 10-18 contain similar subject matter recited in claims 1-9 and are therefore rejected under the same rationale.

15. Claim 19 contains similar subject matter and is rejected under the same rationale as claim 1.

16. Regarding claim 20, Gerszberg '881 and Gerszberg '621 teach the method wherein the stored information is transmitted to each of the plurality of terminals based on a call status of a pre-selected one of the plurality of terminals (Gerszberg '881, col. 12, ll. 12-17, delivery of emergency broadcasts and news bulletins to certain users.).

17. Regarding claim 21, Gerszberg '881 and Gerszberg '621 teach the method wherein displaying the transmitted information comprises:

storing the received information at each of the plurality of terminals (Gerszberg '881, col. 8, ll. 44-52);

determining the call status of each of the plurality of terminals (Gerszberg '621, p. 5, para. 0042);

displaying the stored information on each of the plurality of terminals during an on-hook status (Gerszberg '881, col. 11, ll. 65-66).

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18. Regarding claim 22, Gerszberg '881 and Gerszberg '621 teach the method further comprising:

ceasing the display of the stored information and displaying voice communication-related information on any of the plurality of terminals that assumes an off-hook status (Gerszberg '881, col. 9, ll. 17-27); and

re-displaying the stored information when the terminal again assumes an on-hook status (Gerszberg '881, col. 11, ll. 65-66).

***Response to Arguments***

19. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sawyer (US 6,351,279 B1) teaches a system and method of providing selected advertisements between subscribers utilizing video telephones.

Schnarel et al. (US 6,389,124 B1) teaches common visual and functional architecture for presenting and controlling arbitrary telephone line features.

Gerszberg et al. (US 6,222,520 B1) teaches an information display for a visual communication device.



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Gerszberg et al. (US 6,084,583) teaches a method for providing an advertising screen saver.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

baa

*Beatriz Prieto*  
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PRIMARY EXAMINER